

STANDING CHAPTER 13 TRUSTEE OSMARIE NAVARRO MARTINEZ
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

WILLIAM AGOSTO GOMEZ

Case No. 24-04023-MCF

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prosec <input type="checkbox"/> Substitute	Date & Time: 10/30/2024 8:00:00AM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: 1,598 (pv:\$ 1,854) ACP: 5 Unsecured Pool: 7,025.40 <input checked="" type="checkbox"/> This is debtor(s) 2 Bankruptcy filing. Creditors: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><u>Department of Treasury by Ms. Minoshka Velez</u> <u>Banco Popular de P.R. by Mrs. Yasari Mejias.</u> <u>First Bank by Ms. Mayra Arguelles Esq.</u></div>
II. Oath Administered <div style="text-align: center;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</div>	
III. Plan Date: 09/24/2024 Base: \$41,360.00 Payments 1 made out of 1 due. Confirmation Hearing Date: 11/22/2024 2:15:00PM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) \$4,000.00 - \$424.00 = \$3,576.00	
IV. Status of Meeting <input type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input checked="" type="checkbox"/> Continued Continued Date: 11/26/2024 1:20:00PM Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket:5 <input checked="" type="checkbox"/> Other: 5	

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(Cont.)

Trustee's Report on Confirmation

☐ **FAVORABLE**

☐ **UNFAVORABLE**

☐ **Feasibility**

☐ **Insufficiently funded**

☐ **Unfair discrimination**

☐ **Fails disposable income**

☐ **Fails liquidation value test**

☐ **Insuarence quote**

☐ **No provision for secured creditor(s)**

☐ **Treat value of collateral separately**

☐ **No provision for insurance**

☐ **Tax returns missing**

☐ **State - years**

☐ **Federal - years**

Pending/Items/ Documents:

☐ **Assumption/Rejection executory contract**

☐ **Appraisal**

☐ **DSO Recipient's Information**

☐ **Evidence of being current with DSO**

☐ **Evidence of income**

☐ **Business Documents**

☐ **Monthly reports for the months**

☐ **Public Liability Insurance**

☐ **Premises**

☐ **Vehicle(s):**

☐ **Licenses issued by:**

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COMMENTS

Plan Payments: 400 x 25; 896 x 35= 41,360.00

ID; / SS: / W/S; ok/ TX's: 2020, 2021 ,2022 and 2023 ok / Mar /Employed: Area Inspector

The meeting could not be held since it was informed that debtor ceased employment up until 10.28.2024, hence, a change of financial circumstances.

As to debtors termination of employment, debtor will receive payment as to vacations only.

Trustee notes that debtor is proposing to pay a vehicle directly (Tacoma) to Firstbank in the amount of \$739.00 and also debtor is paying for a vehicle in name of spouse in the monthly amount of \$1079.72. This other vehicle is a Ford F150 2023, which was purchased in 2023. Trustee further notes that spouse does not work, hence, debtor is funding a vehicle which payment affects unsecured creditors and at this stage it does not appear reasonable necessary for the maintenance and support of the debtor. Hence, at this point in time, such expense is being objected.

Debtor had a prior Case 21-00827 which had priorities of approximately 490000. Department of Treasury herein present informs that it will file an estimated a priority claim of \$42,672.00 approximately. Plan will be insufficient and at this point in time plan is not feasible.

What happened with the Toyota 4Runner 2016 from prior case?

What happened with the 2005 Montero from prior case?

At this meeting debtor was asked to provide color photos of the boat Wellcraft 19 feet. Per Trustee's research value of boat might be greater.

Trustee found these values:

\$10,800 for similar boat---1997-- 19ft

<https://www.clasificadosonline.com/Boats/Detail.asp?ID=907907>

\$18,000-- for similar boat--1998- 19ft

<https://www.clasificadosonline.com/Boats/Detail.asp?ID=907702>

\$13800-- for similar boat--1998- 19ft

<https://www.clasificadosonline.com/Boats/Detail.asp?ID=907683>

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The images of the above referenced links were shown to debtor via ZOOM video Screen Sharing.

Debtor is to provide boat license. He testified that boat has not been used for a couple of years. "Marbete" to be provided

-Trustee Objects expense of 543.00 at line 43 of SCMI

Provide bank statements for the 6 months prior filing up to confirmation.

Matters that were to be discussed at this meeting

ISSUES WITH LIQUIDATION VALUE TEST, §1325(a)(4): (1) The case have a liquidation value at present value of \$1,854.

FAILS DISPOSABLE INCOME TEST, §1325(b)(1)(B): Trustee objects expense for the payment of non-filing spouse vehicle in the amount of \$1,079.72 at line 17c of the schedule J. Debtor have another vehicle payment of \$739.00.

ISSUE WITH SECTION (Tax returns), §1325(a)(9):

IRS tax returns: Provide evidence of filing federal taxes for 2020 thru 2023.

Had to file 2022 1040PR

OTHER:

(1) Income from commissions missing for May as part of the of the 6 months.

(2) Does non filing received any kind of income?

-Debtor did not list the non-filing spouse vehicle in schedule A/B and has not been included in plan.

- Review the expense for health insurance of \$540 listed at line 15b Schedule J. debtor have a deduction for SUPR MED as if this is for health insurance. Also, expense for insurance at line 15c for 469.00.

s/Pedro R Medina

Trustee/Presiding Officer

Date: 10/30/2024

(Rev. 02/11)